



REGULAR MEETING
OF THE
BURBANK CITY COUNCIL
APRIL 14, 2010

CALL TO ORDER The meeting of April 14, 2010 was called to order at 7:30 p.m. by Mayor Klein in the Council Chambers, 6530 W. 79th Street, Burbank, IL.

ROLL CALL Roll call indicated the following Council members present: Alderman Foy, Szymczak, Grider, Pacella, Piznarski and Pyle. Also present: Mayor Klein, Treasurer Viverito, Clerk Roach and Attorney Vince Cainkar. Absent: Alderman Pollard

The meeting opened with the pledge of allegiance to the flag.

JOURNAL Motion made by Alderman Grider seconded by Alderman Szymczak to approve the minutes of March 24, 2010 was unanimously approved by voice vote and so declared by the Chair.

CURRENT BILLS Motion made by Alderman Grider seconded by Alderman Foy to approve the current list of bills. A roll call vote indicated 6 Ayes and 0 Nays. The Chair declared the motion carried. Voting Aye: Alderman Pacella, Grider, Piznarski, Pyle, Szymczak and Foy.

CLERK'S REPORT Clerk Roach reported that we have had two bid openings. The first one held was at Public Works for 2010 MFT Maintenance Material – 2,000 tons bituminous asphalt held on March 23, 2010. Resolution No. 2-2-10. The bidders were as listed below:

Crowley-Sheppard Asphalt \$58.75 – ton \$117,500 Total
Chicago Ridge, Illinois

Quarry Materials \$61.15*– ton \$122,300 Total
LaGrange, Illinois
***Includes \$7.15 per ton cost for asphalt dumped at their site.**

The other bid opening was State Road Tree Installation MFT Section No. 09-00048-00-LS which was held April 6, 2010 at City Hall – the Engineer's estimate: \$25,000.00 The bidders were as listed below:

George's Landscaping, Inc. \$15,369.00
Joliet, Illinois

Allied Landscaping, Inc. 16,250.00
Joliet, Illinois

Copenhaver Construction 18,900.00
Gilberts, IL

DEPT. OF ZONING Alderman Foy made the motion seconded by Alderman Szymczak to approve **Ordinance No. 15-5-10 authorizing a special use permit to allow the operation of an automobile accessory business on the property located at 5512 West 79th street.** A roll call vote indicated 6 Ayes and 0 Nays. The Chair declared the motion carried. Voting Aye: Alderman Pyle, Piznarski, Foy, Grider, Szymczak and Pacella.

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**DEPT. OF
PUBLIC
WORKS**

Alderman Foy made the motion seconded by Alderman Pyle to approve **Ordinance No. 14-4-10 proposing the establishment of Special Service Area No. 53 by the City of Burbank for the paving of the alleys in the 7700 Block between Newcastle and Oak Park Avenues and providing for a public hearing in connection therewith.** A roll call vote indicated 6 Ayes and 0 Nays. The Chair declared the motion carried. Voting Aye: Alderman Foy, Szymczak, Grider, Pacella, Piznarski and Pyle.

**DEPT. OF
PUBLIC
SAFETY**

Alderman Foy made the motion seconded by Alderman Pacella to re-appoint Thomas Roach, Commissioner, Police-Fire Commission, for a three (3) year term beginning April 27, 2010 and ending April 26, 2013. A roll call vote indicated 6 Ayes and 0 Nays. The Chair declared the motion carried. Voting Aye: Alderman Piznarski, Pacella, Pyle, Grider, Foy, and Szymczak

**DEPT. OF
ADMINIS-
TRATION**

Mayor Klein said he issued a proclamation to **A.B.A.T.E. of Illinois which is A Brotherhood Aimed Toward Education declaring May, 2010 as Motorcycle Awareness Month. He then asked for a voice vote from the City Council and all issued Aye in support.**

**NEW
BUSINESS**

Alderman Foy made the motion seconded by Alderman Szymczak to award the bid for the 2010 MFT Maintenance Material – 2000 tons bituminous asphalt Resolution No. 2-2-10 to the lowest bidder which is Crawley-Sheppard Asphalt at \$58.75 ton for a total of \$117,500. A roll call vote indicated 6 Ayes and 0 Nays. The Chair declared the motion carried. Voting Aye: Alderman Grider, Foy, Szymczak, Piznarski, Pyle and Pacella.

Alderman Foy made the motion seconded by Alderman Pyle to award the bid to lowest bidder George's Landscaping for the State Road Tree Installation for MFT Section No 09-00048-00-LS held April 6, 2010 Engineer's estimate \$25,000 for a total of \$15,369.00. A roll call vote indicated 6 Ayes and 0 Nays. The Chair declared the motion carried. Voting Aye: Alderman Szymczak, Pacella, Foy, Pyle, Grider and Piznarski.

Alderman Foy said he has a problem brewing at the McDonald's in Burbank at 79th and Long, where another car went through a resident's fence. He said he called the Building Commissioner Frank Kainrath to look into this. Mayor Klein then said he saw a letter that Mr. Kainrath had wrote to the McDonald Corporation in Burr Ridge looking to get some relief for that resident. Mayor Klein said he went and looked at the property and actually talked to the resident at church. He said McDonald's better do something about this.

Clerk Roach reported that the Census returns were coming in nicely and that we were at 72 percent of returns from the forms that were mailed but we need to get more back. She told the audience to make sure that their family or friends mail them back.

Mayor Klein said that Clerk Roach as the coordinator for the Census 2010 was doing a good job and that Burbank was doing very well in comparison with other communities and they were exceeding the National average. He told the young people in the audience how important the Census is to the community and that they are part of the Census and should have their families return their forms.

CITIZEN'S
REPORT

Mayor Klein recognized Catherine Smogua of 7706 S. Natchez Ave. who said she was here to protest that their petition was denied for the paving of the alley between 77th and 78th of Natchez and Neenah She said that the petition against this paving did not go through because they did not have enough of the registered voters against. She went on to say that registered voters are not landowners paying taxes and therefore should not be counted.

Attorney Cainkar said that the requirement to stop a special service area was explained at the public meeting; It is a requirement of state **law**, not our law, that 51% of the owners and 51% of the electors must sign this petition against it. He addressed Mrs. Smogua telling her that he understands that she feels the electors should not have anything to do with this petition, but this is not our law it is the **state law**, and we must abide by it. Attorney Cainkar told her if you disagree with state law it needs to be changed. Attorney Cainkar told her that her petition did not have enough registered voters. nor owners She said it did.

Mrs. Smogus was told by Mayor Klein that she is arguing state law and she said she would like a copy of this state law and Mayor Klein said he would see that she got one. Attorney Cainkar said the petition she passed around said **51% of owners and 51% of registered voters must sign this petition.** Mrs. Smogus was told that all of the residents in this area were sent a notice of the public hearing and she said they did not. Attorney Cainkar said they do not send a letter out afterwards telling the residents the results of the hearing, but a letter was sent to residents and a notice was in the newspaper and posted at City Hall. Mrs. Smogus said she had talked to a lawyer and he said they were in their rights and elected voters is a privilege. She reiterated that they do not want these alleys and that most of the residents cannot afford them. Mrs. Smogus said they will take it further and Mayor Klein commented that if they can change state law he will be with them 100%.

Mayor Klein then recognized Mr. George Sereika of 8118 S. Linder who said he moved to Burbank about 18 years ago and said he has seen many changes most for the good. He then commented he was concerned about how many people were receiving section 8 in Burbank and how this could elevate crime. Mayor Klein told him that Section 8 is determined by the economy, but we receive no statistics on who receives it. Attorney Cainkar told him that this information would be available through the Housing Authority of Cook County. Mayor Klein said we cannot dictate who gets Section 8 and people should not be labeled because they have fallen on hard times.

Mr. Sereika was also concerned about what was happening to the Old Barn. The Mayor told him he has sent several letters out to different corporations, but so far hasn't heard from any of them. He told him the property is over four acres and is zoned commercial and is for sale. Mayor Klein assured him that whatever will become of that property he can be assured that we will not mar the neighborhood with big tall buildings he said that will not happen.

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**DEPT. OF
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TRATION**

Mayor Klein acknowledged the Reavis students in the audience and asked how many were 18 and over. Quite a few raised their hands and he said that they were qualified electors. He then told them that after he adjourns the meeting they can come up to the front table or the Council table and have anyone sign their government class papers.

**MOTION
TO
ADJOURN**

There being no further business to be brought before the City Council, the Chair asked for a motion to adjourn. The motion was made by Alderman Grider and seconded by Alderman Szymczak to adjourn was agreed upon by voice vote and so declared by the Chair.

The meeting was adjourned at 7:48 p.m.

PATRICIA E. ROACH, CITY CLERK
APPROVED _____